



01038.20539 (20076.69)

~~\$DAC~~
#4

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **Michael R. Treat et al.**

Group: 3739

Serial No.: 09/839,988

Examiner: Unknown

Filing Date: April 20, 2001

For: **ELECTROTHERMAL DEVICE FOR COAGULATING, SEALING
AND CUTTING TISSUE DURING SURGERY**

October 2, 2002

Commissioner for Patents
Washington, D.C. 20231

RECEIVED

OCT 10 2002

OFFICE OF PETITIONS

**PETITION FOR REVIVAL OF APPLICATION
UNDER 37 C.F.R. § 1.137(B)**

SIR:

Applicants hereby petitions under 37 C.F.R. § 1.137(b) for revival of the above application, which application was unintentionally abandoned by failure to respond to a Notice to File Missing Parts dated August 15, 2001. The entire delay was unintentional. Enclosed is a Response to the Notice to File Missing Parts. Also enclosed is a separate check in the amount of \$640.00 as the petition fee.

10/10/2002 AMONDAF1 00000082 501529 09839988

01 FC:241

640.00 0P

Approval of this petition and revival of the application is respectfully requested.

Any additional fee deemed due should be charged to our Deposit Account No. 50-1529.

Respectfully submitted,

REED SMITH LLP

October 2, 2002

By: William H. Dippert
William H. Dippert - Reg. No. 26,723
599 Lexington Avenue, 29th Floor
New York, NY 10022
Tel. (212) 521-5400